

TENNESSEE GENERAL ASSEMBLY
FISCAL REVIEW COMMITTEE



FISCAL MEMORANDUM

HB 1406 - SB 1429

February 29, 2016

SUMMARY OF ORIGINAL BILL: Deletes requirement that any veterinary facility located in a retail establishment have an entrance directly on a public street or public parking area, separate from the entrance used by regular retail customers. "Retail establishment" means any retail store in excess of 2,500 square feet that primarily sells goods not related to the practice of veterinary medicine or any veterinary facility located in an enclosed shopping mall or enclosed shopping center.

FISCAL IMPACT OF ORIGINAL BILL:

NOT SIGNIFICANT

SUMMARY OF AMENDMENT (012821): Deletes all language of the original bill. Makes changes to the requirements for a veterinary practice located in a retail establishment by authorizing an entrance for the public, separate from the entrance used by regular retail customers, to be located in any area which adjoins the establishment, rather than requiring that such entrance be directly located on a public parking area. Expands the definition of "retail establishment" to include companion animal retail facilities that primarily sell goods in the categories of companion animal nutrition, food, supplies, and behavioral products. Creates two new exemptions for existing veterinary facilities located in retail establishments, effectively placing such facilities in compliance with law.

Adds language to establish that the practice of veterinary medicine occurs wherever the patient is at the time veterinary services are rendered; authorizes the Board of Veterinary Medical Examiners to deny, suspend, or revoke the license of any licensee who fails to establish or maintain a valid veterinarian-client-patient relationship; defines a "veterinary wellness committee" as any committee, board, commission, or other entity established by any state-wide veterinary medical association or local veterinary medical association for the purpose of providing immediate and continuing help to veterinary professionals licensed to practice veterinary medicine or veterinary technology, students of veterinary medicine and veterinary technology, certified animal euthanasia technicians, and employees of veterinary practices in this state who suffer from various diseases and ailments; establishes immunity to civil or criminal liability for any member, employee or agent of a veterinary wellness committee for taking action, engaging in the performance of duties on behalf of a committee, or participating in any administrative or judicial proceeding resulting from such individual's participation on the committee, when any such action is taken in good faith and without malice; and establishes that all information, interviews, statements, memoranda, or other data furnished to or produced by a veterinary wellness committee is confidential.

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FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:

Unchanged from the original fiscal note.

Assumptions for the bill as amended:

- Revising the requirements regarding the physical layout of veterinary facilities will not result in a significant change in the number of permits issued by the Board of Veterinary Medical Examiners.
- Any change in permit fee revenue to the Board will be not significant.
- No significant increase in licensure denials, suspensions, or revocations against licensees for failing to maintain a valid veterinarian-client-patient relationship.
- Providing immunity from civil and criminal liability to members, agents, and employees of a veterinary wellness committee will not result in a significant decrease in cases in the court system, or a decrease in state and local government revenue and expenditures for processing the cases, or state and local government revenue from fees, taxes and costs collected.

CERTIFICATION:

The information contained herein is true and correct to the best of my knowledge.

A handwritten signature in blue ink that reads "Krista M. Lee".

Krista M. Lee, Executive Director

/jdb